

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

IN THE CLAIMS

Please cancel claims 1-3, 6-8 and 19 without prejudice or disclaimer.

Please amend claims 4, 5 and 9-18 as follows:

Claims 1- 3 (Cancelled)

Claim 4 (Currently amended): ~~The modified DNA molecule according to claim 1,~~

A DNA molecule, whose sequence comprises:

a portion of the genome of a prokaryotic cell in which at least one DNA region encoding an NXB site, wherein N is asparagine, X is any amino acid other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs at said NXB site during expression of the DNA molecule in a eukaryotic cell,

wherein said prokaryotic cell is Mycoplasma.

Claim 5 (Currently amended): ~~The modified DNA molecule according to claim 1,~~

A DNA molecule, whose sequence comprises:

a portion of the genome of a prokaryotic cell in which at least one DNA region encoding an NXB site, wherein N is asparagine, X is any amino acid other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs at said NXB site during expression of the DNA molecule in a eukaryotic cell,

wherein said DNA molecule derived from a prokaryotic cell is a DNA derived from

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

Mycoplasma having the DNA sequence according to ~~claim 1 or 2~~ SEQ ID NO. 1 or SEQ ID NO. 2.

Claims 6-8 (Canceled).

Claim 9 (Currently amended): 9. (Currently amended): ~~The fused DNA molecule according to claim 6,~~

A fused DNA molecule, wherein a DNA encoding a signal sequence has been ligated to the N-terminal end of a DNA molecule,

wherein the sequence of said DNA molecule comprises a portion of the genome of a prokaryotic cell in which at least one DNA region encoding an NXB site, wherein N is asparagine, X is any amino acid other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs at said NXB site during expression of the DNA molecule in a eukaryotic cell so that the fused DNA molecule may be expressed as a fusion protein,

wherein said DNA molecule derived from a prokaryotic cell has a DNA sequence described in SEQ ID NO: 1 or 2 derived from Mycoplasma, and said signal sequence is a signal sequence derived from the gB of Marek's disease virus or a signal sequence derived from the gG of Rabies virus.

Claim 10 (Currently amended): A recombinant virus that has integrated therein

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

(1) a DNA molecule derived from whose sequence comprises a portion of the genome of a prokaryotic cell in which at least one of the DNA regions region encoding an NXB site, wherein N is asparagine, X is any amino acid other than proline, and B is serine or threonine,) has been modified altered so that no N-glycosylation occurs at said NXB site during the expression of the DNA molecule in a eukaryotic cell, or

(2) a fused DNA molecule in which a DNA encoding a signal sequence is ligated to the N-terminal end of said modified DNA molecule so that it may be expressed as a fusion protein.

Claim 11 (Currently amended): The recombinant virus according to claim 10, wherein said the alteration that attempts to prevent prevents N-glycosylation is at least one of the following:

- (1) the alteration of the DNA sequence encoding asparagine (N) to a DNA sequence encoding an amino acid other than asparagine;
- (2) the alteration of the DNA sequence encoding any amino acid (X) other than proline to a DNA sequence encoding proline; and
- (3) the alteration of the DNA sequence encoding serine or threonine (B) to a DNA sequence encoding an amino acid other than serine or threonine.

Claim 12 (Currently amended): A recombinant virus that has integrated therein

- (1) a DNA molecule whose sequence comprises a portion of the genome of a prokaryotic cell in which at least one DNA region encoding NXB, wherein N is asparagine, X is any amino acid other

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs during the expression of the DNA molecule in a eukaryotic cell, or

(2) a fused DNA molecule in which a DNA encoding a signal sequence is ligated to the N-terminal end of said DNA molecule so that it may be expressed as a fusion protein. The recombinant virus according to claim 10,

wherein said DNA molecule derived from portion of the genome of a prokaryotic cell is a DNA molecule derived from Mycoplasma having the DNA sequence according to claim 1 or 2 SEQ ID. NO. 1 or SEQ ID NO. 2.

Claim 13 (Currently Amended): A recombinant virus that has integrated therein a fused DNA molecule, wherein a first DNA encoding a signal sequence that has been modified altered so that no N-glycosylation occurs in the protein encoded by said first DNA during the expression in a eukaryotic cell has been ligated to the N-terminal end of a second DNA molecule derived from comprising a portion of the genome of a prokaryotic cell in which at least one of the DNA regions encoding NXB, wherein f N is asparagine, X is any amino acid other than proline, and B is serine or threonine, } has been modified altered so that no N-glycosylation occurs at said NXB site during the expression of said fused DNA molecule in a eukaryotic cell, so that it may be expressed as a fusion protein.

Claim 14 (Currently amended): A recombinant virus that has integrated therein a fused

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

DNA molecule, wherein a first DNA encoding a signal sequence that has been altered so that no N-glycosylation occurs in the protein encoded by said first DNA during the expression in a eukaryotic cell has been ligated to the N-terminal end of a second DNA molecule comprising a portion of the genome of a prokaryotic cell in which at least one DNA regions encoding NXB, wherein N is asparagine, X is any amino acid other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs at said NXB site during the expression of said fused DNA molecule in a eukaryotic cell, so that it may be expressed as a fusion protein The recombinant virus according to claim 13,

wherein said signal sequence is a signal sequence derived from the gB gene of Marek's disease virus or a signal sequence derived form the gG gene of Rabies virus.

Claim 15 (Currently amended): A recombinant virus that has integrated therein
(1) a DNA molecule whose sequence comprises a portion of the genome of a prokaryotic cell
in which at least one DNA region encoding NXB, wherein N is asparagine, X is any amino acid
other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs
during the expression of the DNA molecule in a eukaryotic cell, or
(2) a fused DNA molecule in which a DNA encoding a signal sequence is ligated to the N-
terminal end of said DNA molecule so that it may be expressed as a fusion protein, or
a recombinant virus that has integrated therein a fused DNA molecule, wherein a first DNA
encoding a signal sequence that has been altered so that no N-glycosylation occurs in the protein
encoded by said first DNA during the expression in a eukaryotic cell has been ligated to the N-

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

terminal end of a second DNA molecule comprising a portion of the genome of a prokaryotic cell
in which at least one DNA regions encoding NXB, wherein N is asparagine, X is any amino acid
other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs
at said NXB site during the expression of said fused DNA molecule in a eukaryotic cell, so that it
may be expressed as a fusion protein The ~~recombinant virus according to claim 10 or 13, wherein~~
said virus is a poxvirus or a herpesvirus.

Claim 16 (Currently amended): A recombinant virus that has integrated therein

(1) a DNA molecule whose sequence comprises a portion of the genome of a prokaryotic cell
in which at least one DNA region encoding NXB, wherein N is asparagine, X is any amino acid other
than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs during
the expression of the DNA molecule in a eukaryotic cell, or

(2) a fused DNA molecule in which a DNA encoding a signal sequence is ligated to the N-
terminal end of said DNA molecule so that it may be expressed as a fusion protein, or
a recombinant virus that has integrated therein a fused DNA molecule, wherein a first DNA
encoding a signal sequence that has been altered so that no N-glycosylation occurs in the protein
encoded by said first DNA during the expression in a eukaryotic cell has been ligated to the N-
terminal end of a second DNA molecule comprising a portion of the genome of a prokaryotic cell
in which at least one DNA regions encoding NXB, wherein N is asparagine, X is any amino acid
other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs
at said NXB site during the expression of said fused DNA molecule in a eukaryotic cell, so that it

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

may be expressed as a fusion protein ~~The recombinant virus according to claim 10 or 13, wherein said virus is a virus that infects avians.~~

Claim 17 (Currently amended): A recombinant virus that has integrated therein

(1) a DNA molecule whose sequence comprises a portion of the genome of a prokaryotic cell
in which at least one DNA region encoding NXB, wherein N is asparagine, X is any amino acid other
than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs during
the expression of the DNA molecule in a eukaryotic cell, or

(2) a fused DNA molecule in which a DNA encoding a signal sequence is ligated to the N-
terminal end of said DNA molecule so that it may be expressed as a fusion protein, or
a recombinant virus that has integrated therein a fused DNA molecule, wherein a first DNA
encoding a signal sequence that has been altered so that no N-glycosylation occurs in the protein
encoded by said first DNA during the expression in a eukaryotic cell has been ligated to the N-
terminal end of a second DNA molecule comprising a portion of the genome of a prokaryotic cell
in which at least one DNA regions encoding NXB, wherein N is asparagine, X is any amino acid
other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs
at said NXB site during the expression of said fused DNA molecule in a eukaryotic cell, so that it
may be expressed as a fusion protein ~~The recombinant virus according to claim 10 or 13, wherein said virus is an avipoxvirus.~~

U.S. Patent Application Serial No. 09/901,572
Amendment dated April 19, 2004
Reply to OA of October 20, 2003

Claim 18 (Currently amended): A recombinant virus that has integrated therein

(1) a DNA molecule whose sequence comprises a portion of the genome of a prokaryotic cell
in which at least one DNA region encoding NXB, wherein N is asparagine, X is any amino acid other
than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs during
the expression of the DNA molecule in a eukaryotic cell, or

(2) a fused DNA molecule in which a DNA encoding a signal sequence is ligated to the N-
terminal end of said DNA molecule so that it may be expressed as a fusion protein, or
a recombinant virus that has integrated therein a fused DNA molecule, wherein a first DNA
encoding a signal sequence that has been altered so that no N-glycosylation occurs in the protein
encoded by said first DNA during the expression in a eukaryotic cell has been ligated to the N-
terminal end of a second DNA molecule comprising a portion of the genome of a prokaryotic cell
in which at least one DNA regions encoding NXB, wherein N is asparagine, X is any amino acid
other than proline, and B is serine or threonine, has been altered so that no N-glycosylation occurs
at said NXB site during the expression of said fused DNA molecule in a eukaryotic cell, so that it
may be expressed as a fusion protein ~~The recombinant virus according to claim 10 or 13, wherein~~
said virus is a Marek's disease virus type I, type II, or type III.

Claim 19 (Canceled).

Claim 20 (Original): A vaccine comprising the recombinant virus according to claim 10
or 13.